

Appl. No. 10/708,531
Response dated January 26, 2005**REMARKS**

By this amendment, claims 1, 16, 17, 22 and 25 are amended; claims 1-28 are pending in the application; claims 1-15, 18-23 and 25-28 were rejected under 102 and/or 103 in view of Yoshida, Neel, Grant et al., and/or Bonnafeous; claim 24 was allowed and claims 16-17 were allowable but objected to as depending from a rejected base claim. Further examination of the application as amended and reconsideration of the objections and rejections are respectfully requested.

Claims 1, 22 and 25 are amended to recite a marine docking facility on at least one of the pontoons or the center hull. Support is found in original claim 24 as filed, inter alia. Claim 16 is amended to recite a berthing facility, and support is found in original claim 17. Claim 17 is amended to independent form, including the features of original claim 1. No new matter is presented.

All claims 1-20 and 22-28 now affirmatively recite the features indicated by the examiner to obtain allowable subject matter. Thus, it is believed that the objections/rejections with respect to these claims are no longer applicable and should be withdrawn.

Applicant respectfully traverses the rejection of original claim 21 over Yoshida and the unsupported assertion that the relative transit and operating waterplane areas of the center hull and pontoons are merely design choices obvious to the ordinarily skilled artisan. Quite to the contrary, Yoshida teaches squarely away at (column/line) 4/14-15 that the "water breakers 3" are in the form of an upstanding plate which would of course result in a waterplane area of nearly zero. This is because Yoshida desires the water breakers to have minimum waterplane area and minimum reserve buoyancy such that the ship does not have a self-stabilizing ability, see 7/3-7. Yoshida uses the low waterplane area for transit to eliminate wave resistance at high speeds, relying instead on the fore and aft horizontal hydroplanes 5a, 5b to level the ship.

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In sharp contrast to Yoshida, Applicant's invention defined in claim 21 is a high-deadweight ship that transits at the high-waterplane, shallow draft condition and can operate as a stationary marine platform at the reduced-waterplane, deep draft condition with improved stability and rolling resistance to waves and wind. See the specification at paragraphs [0015], [0036] and [0042]. This low waterplane area at station and high waterplane area in transit is the exact opposite of what Yoshida teaches, low waterplane during transit and high waterplane area during port operations. Operational mode stability for applicant's apparatus requires a significant 'reserve buoyancy' in the center hull riser that obtains from a 40-65% waterplane area for the hull riser relative to the full waterplane area of the main hull at transit draft; and requires even less waterplane area in the outrigger columns for wave/wind stability (one-third to one-fifth pontoon waterplane). Yoshida in contrast is only concerned with frontal wave area so longitudinal plates are disclosed as water breakers, whereas applicant specifies columns so that the outriggers are less impacted by waves from the ends or sides during base stationing operations.

Yoshida does not teach or suggest the use of a relatively large main center hull for primary buoyancy and opposing outrigger pontoons for stabilization. The Fig. 3 version in Yoshida discloses three hulls that each have the same dimensions, and thus does not disclose or suggest outriggers. Fig. 7 shows only two outer hulls; the underhanging body 11 that supports the rudder and propeller is in lieu of a center hull. See 6/16-20. In any case the body 11 as drawn, even if it were intended as a hull section, would result in an increased waterplane area at applicant's stationary operating draft, not the specified reduced area in claim 21. It would seem that the modification of Yoshida as suggested in the Office Action would require selective picking and choosing from Yoshida, impermissibly using

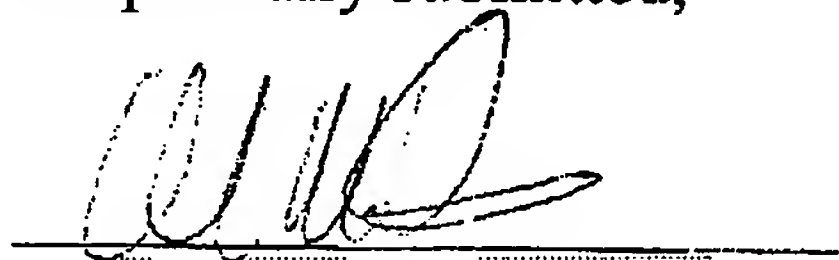
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applicant's own disclosure as a road map for wholesale rejection of contrary teachings.

A reference such as Yoshida that teaches directly contrary to the approach of applicant surely cannot be said to have suggested the claimed invention. There is no motivation or reason for the skilled artisan to have been led to modify Yoshida in the manner asserted in the Office Action, nor is there any suggestion of the benefits to be obtained thereby. Accordingly, it is respectfully submitted that the rejection of claim 21 is improper and should be withdrawn. None of the other references cited by the examiner can bridge the chasm between the contrary teachings of Yoshida and claim 21.

The early allowance of all claims is respectfully requested. Undersigned counsel is available by phone if there are any remaining issues that might be resolved in this manner.

Respectfully submitted,



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